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CROSSED THE TROCHA

General Maceo Will Soon Join Forces With General Gomez.

WILL THEN ATTACK HAVANA.

General Weyler and His Spanish Soldiers Cut Off From the Capital—A Report That He Has Been Wounded—Spanish Officials Send Out a Report That Maceo Has Been Killed—Cuban War News.

JACKSONVILLE, Fla., Dec. 9.—A cablegram has been received from Havana which states that Antonio Maceo has crossed the trocha with a large force. It is reported, according to the dispatch, that Captain General Weyler has been wounded at the front. The dispatch says:

"The exact whereabouts of General Weyler is not known, but he is believed to be hunting Maceo in the mountains in the extreme eastern part of Pinar del Rio, while the insurgents' chief has seemingly doubled on his tracks, turned the flank of the Spanish general and passed in his rear in the direction of this city, crossing the military line at will, and possibly being by this time in the vicinity of the capital of Cuba. If Maximo Gomez has carried out the plan attributed to him, that of pushing westward to the support of Maceo, a junction of the two main bodies of the insurgent forces may be expected shortly.

"There was much excitement here when it became generally known that Maceo had crossed the military line with, it is understood, a strong force of insurgents, especially when coupled with the fighting between Spanish troops and insurgents close to this city. It seems evident that the insurgent commander has not only cleverly turned the flank of Captain General Weyler but has succeeded in getting in his rear and crossing the famous military line near the port which has been used as a base of supplies for the Spanish troops in Pinar del Rio. The importance of this movement can not be exaggerated.

"Nothing appears to be known of the strength of the insurgent force with Antonio Maceo in this province. In fact, it was not until the news was being passed from person to person in the streets that the authorities would give a half-hearted admission of the truth of the report that Maceo had crossed the military line. This, it is believed, will alter the whole situation and important events may occur within a short time. There is no doubt that the insurgents have recently increased in number about the capital. The stray bands of 20 to 30 'bandits' met by the Spanish troops have now swollen to the proportions of insurgent forces as 20,000 to 40,000 men.

"It seems to be admitted and believed that Maceo will strike before Weyler can hurry back from Pinar del Rio. Indeed, it is currently reported that the captain general has been wounded in an engagement with the insurgents before the latter crossed the military line, and that he may not be able to return here except as a prisoner of the Cubans.

"The authorities naturally are doing all in their power to minimize the crossing of the trocha by Maceo, and intimate that he is as usual, according to the Spanish, running away from them. This does not alter the fact that he has escaped the hunter, and that the hunter may find difficulty in getting home.

"The friends of the insurgents here are overjoyed at the new turn taken in the campaign and are boasting that Maceo and Gomez will soon be knocking at the gates of Havana. To this the Spanish officials simply say: 'Wait and see; the time is not yet.'

"But there is no denying that the supporters of Spain here are looking much crestfallen and discouraged. Even a defeat at the hands of the insurgents, it is admitted, would have been better than the humiliation which the Spanish troops have suffered in being so skillfully outmaneuvered by the insurgents."

JUST AS EXPECTED.

Maceo's Crossing the Trocha Carried Out a Previously Arranged Program.

NEW YORK, Dec. 9.—The report that Maceo has crossed the trocha is in line with the expectations of the Cuban junta in this city. Since General Maceo, by order of General Gomez and in defiance of General Weyler, invaded the province of Pinar del Rio in March last, Spanish as well as Cuban reports have represented him again and again as having crossed the trocha constructed by General Weyler to keep him from rejoining Gomez.

The Spaniards have reported his crossing of the line in disguise as his way of getting out of the trap into which, according to them, he had entered. The Cubans, on the other hand, have reported his crossing as in defiance of the alleged security of the Spanish line. Maceo has from time to time stated to those supposed to be in close communication with him that he would cross the line when it should be time for him to meet General Gomez again in Havana or Matanzas province.

According to the recent dispatches General Gomez was in Santa Clara province, near Matanzas, with his ex-

treme vanguard already near Havana itself. Some of his men are said to have participated in the raid on Guanabacoa, just across the bay from Havana, on Dec. 1.

Under such circumstances it would seem that the moment had come when Gomez and Maceo would naturally wish to combine their forces for a strong attack on the Spanish army.

ANTONIO MACEO KILLED.

Spanish Officials Say That the Insurgent Leader Is Dead.

HAVANA, Dec. 9.—It is stated in most positive terms by the Spanish authorities that Antonio Maceo, the great insurgent leader and the heart and soul of the Cuban cause, has been killed in Havana province after having effected the passage of the western trocha near Mariel, at its northern extremity. With the Cuban leader died the youth, Francisco Gomez, son of Maximo Gomez, who accompanied the mulatto general on his passage of the trocha.

Most explicit details of the finding of the corpses of the fallen Cubans and of the facts relied upon for their identification are at hand through the report of the Spanish commander, Major Cirujeda, who contested the passage of the trocha unsuccessfully on Dec. 4, with Maceo, and who sustained another conflict on Monday with the forces under the insurgent leader. It was in a reconnaissance after the latter engagement that the Spaniards found two corpses, not separated in death, which they have identified as those of Antonio Maceo and Francisco Gomez.

CABINET POSITIONS.

H. C. Payne of Milwaukee Is Making Ready For His Washington Residence.

MILWAUKEE, Dec. 9.—Henry C. Payne has resigned the vice presidency of the Milwaukee Electric Railway and Light company, with which he has been long connected. The announcement was made last night on the authority of Charles F. Pfister.

Among the few politicians who know the facts it is taken as a certain indication that Mr. Payne is to take a place in the McKinley cabinet. Nothing less than this, it is said, would have induced him to give up his position with the company.

Mr. Payne is now in Washington, and is expected home the latter part of the week.

Andrew D. White Willing to Serve.

ITHACA, N. Y., Dec. 9.—Andrew D. White, in an interview relative to the reported offer to him of the secretaryship of state, said: "I think that no human being knows who will compose the cabinet yet. I am much pleased with the letters I have received from friends and party leaders who urge my appointment. Of course, if I can serve the country and party in this way I will be glad to respond. But I can say nothing definitely yet."

Mr. White refused to state whether President-elect McKinley had formally offered him the place or not.

PLAGUE IN INDIA.

Eight Hundred Deaths Reported, but Thought to Be Many More.

NEW YORK, Dec. 9.—A special cable dispatch from Bombay, India, says: Eight hundred deaths are reported up to date from the plague, but the number is believed to be much larger. Crowds of panic-stricken natives are fleeing from the city. Trade and travel are seriously affected.

Only one case is reported of a person directly attending a patient having contracted the plague. The disease, though infectious, has not been proved contagious.

The government bacteriologists are of the opinion that the plague, unlike cholera, has a tendency to stick to the locality where it originates. A few authentic cases are reported in adjacent towns, but they are all of Bombay origin.

The disease, where imported, was dying out without spreading. In Bombay for two months the disease was confined to one ward. It has now spread to all districts of the city and is increasing largely with the cooler weather.

The famine which threatened the whole of India has been partially averted in certain districts by the recent rains.

Grain speculation continues and aggravates the situation.

MINERS' CONFERENCE.

Miners and Operators Trying to Agree on a Wage Scale.

PITTSBURG, Dec. 9.—At the joint conference here, held between the miners and mine operators, the miners' committee presented a demand for the 80-cent rate, and the discussion of the whole subject of wages and differentials proceeded. The only conclusion reached up to adjournment was the decision that the differential of 9 cents in favor of the Ohio thin vein over the Pittsburgh thin vein must be abolished. This applies to all the Ohio thin veins, except in the Hocking valley.

A committee was appointed to confer later with a joint committee of Ohio and Pittsburgh operators and miners to settle what the differential shall be. It may take several days to settle the wage scale in this district.

Lynchings in Arkansas.

PINE BLUFF, Ark., Dec. 9.—"Crazy Jim," the negro who brutally murdered one of the Williams boys and fatally wounded his brother, in Melton township Saturday, was captured yesterday near the scene of his crime. He was fully identified. Reports just received here say that a mob of farmers took the negro from the officers and lynched him.

JACKSON MUST HANG

One of Pearl Bryan's Murderers Doomed to Death.

A NEW TRIAL HAS BEEN REFUSED.

Sentence of the Campbell County Court Affirmed by the Kentucky Court of Appeals—Jackson's Only Hope Now Is in Executive Clemency, Which Will Probably Not Be Granted.

FRANKFORT, Ky., Dec. 9.—Scott Jackson must be hanged for the murder of Pearl Bryan at Fort Thomas unless the governor of Kentucky shall interfere. In the court of appeals yesterday the decision of Judge Hazelrigg was made public declaring that Jackson is not entitled to a new trial and that the sentence of death must be executed.

The following is an abstract of the opinion prepared by Judge Hazelrigg:

A brief summary of the facts in this case, in which Scott Jackson is charged jointly with Alonzo Walling with the murder of Pearl Bryan, show that on the morning of Feb. 1, 1896, that the headless body of a woman was found on the farm of one Locke, near Newport, in Campbell county, Ky. While the head could not be found, a mark of the shoes found on the body led to its identification as that of Pearl Bryan, a young girl of Greencastle, Ind.

The quantity of blood led the authorities to proceed on the theory that the murder, for such it evidently was, had been committed in Campbell county, and at the spot where the body was found. The autopsy disclosed cocaine in the stomach and also that the girl was with child, a healthy foetus of some five months development, being found, which had evidently been alive until the mother's death.

The inquiries leading to the identification of the body led to the discovery that Jackson had probably been the author of the girl's ruin, and further that she had been brought to Cincinnati at his instance in order to be relieved of her trouble, or she herself gotten rid of by some means.

The girl applied to Jackson on her arrival in the city and she, Jackson and Walling, the friend and associate of Jackson, were seen by a number of people during the week preceding her death.

Some direct proof connected the two men with the girl on the very night of her death, but the prosecution rested chiefly on circumstantial evidence.

The possession of the dead girl's satchel and clothing by the two immediately after her death and their desperate efforts to dispose of them is graphically shown up in the proof.

A trial resulted in a verdict of guilty and the appellant was sentenced to be hanged.

The alleged errors occurring during the trial are numerous, but none of them are well taken.

First—The indictment is sufficient, and in fact its accuracy and conciseness of expression is to be commended.

Second—The zeal of the sheriff in performing only his duties, though it led to the arrest of the perpetrators of the crime, can not be urged as a sufficient cause for his removal from attendance on the trial and from the performance of his usual duties connected therewith.

Third—The ticket system of admission was adopted only to prevent the overcrowding of the court, and in no sense prevented a public trial within the meaning of the constitution.

Fourth—The ruling of the court in admitting testimony and in rejecting it during the trial are free from substantial error.

Fifth—The instructions given cover the different phases of the case, and the facts suggested in them arise naturally out of the proof and will embody correct principles of law.

Sixth—The appellant has had a fair and impartial trial and the judgment is affirmed.

A petition for a rehearing will probably be filed by Jackson's attorneys, but the present decision is regarded as final. Not one criminal case in a thousand is reversed by the court of appeals on a rehearing. There is no time provided in the criminal code within which motions for petitions for a rehearing may be made. The matter rests wholly with the court.

It now devolves upon Acting Governor Worthington to issue the death warrant, and he will doubtless be asked to extend the executive clemency.

Governor Bradley has already partially passed on the case, and it is safe to say that Acting Governor Worthington will not interfere with the judgment of the court. He will probably issue the death warrant this week, and fix the time for execution. The court of appeals will send the record and opinion to the executive office as soon as the opinion shall be copied.

Governor Worthington has already had petitions and letters, asking that mercy be shown to Jackson. Many of these came from anonymous sources. Governor Worthington has expressed no opinion as to what he will do in the case, and he will probably not do so until the matter shall come before him for official action.

The governor, under the law, sets the day of a hanging. It is usually about 30 days after the decision of the court of appeals has been handed down.

The law authorizes the governor to fix the hour of execution. Executions seldom occur in the mornings, and it is probable that 1 o'clock in the afternoon will be the hour when Jackson will pay the last penalty of his crime.

The Walling case will be decided before Saturday, as that is the last day of this term of the court. Judge Hazel-

rigg will discuss the matter with other members of the court, and write his decision. He will not take up another case until the Walling appeal shall have been decided.

JACKSON SHOWS HIS NERVE.

He Did Not Break Down When He Heard the News.

COVINGTON, Ky., Dec. 9.—Turnkey Fred Maurer went to Scott Jackson's cell at 11 a. m. and without any perfunctory remarks harshly informed him that he must hang. The stolidity that has been so characteristic of the man all during his imprisonment here, was again manifest. His colorless face gave not the slightest evidence of the feelings that must have almost overwhelmed him. He smiled and nonchalantly asked Maurer if he was in earnest, and being assured that he was, asked about Walling's case. Upon being told about that, Jackson said:

"Well, I will get it in the neck sure enough."

With that he returned to his cell and resumed studying the pictures of a magazine.

News Received in Greencastle.

GREENCASTLE, Ind., Dec. 9.—The news of the finding of the court of appeals in Jackson's case reached here at noon, creating great excitement. The news was broken to the Jackson and Bryan families by a reporter. The former had nothing to say, merely asking if the telegram was authentic. The Bryan family expressed satisfaction over the verdict, and the general opinion was that it was just about as expected. The supreme court verdict gives general satisfaction in Greencastle.

INDIANA'S ELECTION LAW.

It Is Almost Certain to Be Changed by the Coming Legislature.

INDIANAPOLIS, Dec. 9.—After the election of a United States senator, who will likely be Charles W. Fairbanks, the discussion of several important legislative questions will follow. The experience with the Populist ticket this year with its duplicate list of names after fusion with the Democracy has brought a general demand for the amendment of the election law. It is almost certain that the Republicans will amend the law so that hereafter the same names shall not appear twice on a ballot.

A new building and loan association bill will be passed. Two years ago the legislature appointed a commission to prepare a bill regulating building and loan associations. The more flagrant features of some of the associations will be abolished in obedience to a general and angry demand. The expense fund and all commissions to agents will be abolished, and there is a demand that the law require associations to pay back all the money that has been entrusted to them. Many shareholders are finding, when they attempt to withdraw their savings, that they are entitled to only about 75 per cent of what they deposited, without interest. Most associations do not have these obnoxious features.

BADLY BEATEN BY HOODLUMS.

Antoine Auterman Waylaid and Assaulted on the Highway.

CROWN POINT, Ind., Dec. 9.—Antoine Auterman of St. Johns was waylaid and horribly beaten by a crowd of drunken hoodlums at Schererville, a small town near St. Johns. Auterman met a Schererville man named Kunrad in a saloon of that place, who tried to whip him, but instead Auterman administered a severe chastisement to Kunrad.

This angered the Schererville hoodlums and a crowd of 50 waylaid Auterman upon the outskirts of the town, and after beating him until he was insensible, replaced him in his carriage, and whipping up his horse started him home. The buggy brought up in a ditch inflicting additional injury upon the luckless Auterman.

House Robbed and Burned.

GOSHEN, Ind., Dec. 9.—Thieves entered the house of Sherman Baker, near North Webster, and while the inmates were asleep robbed it. Then they poured oil on the carpets and applied a match, which burned the house to the ground. Mr. and Mrs. Baker escaped from the house just in time to save their lives. The neighbors who were attracted to the scene of the fire gave chase to the robbers. The work is supposed to be that of a band which has been torturing farmers to reveal the hiding places of their money.

Rejected Lover's Revenge.

SCHUYLER, Neb., Dec. 9.—As the result of a rejected lover's insane attempt to murder his sweetheart and exterminate her family, Deidrick Glesing is dead, his mother and father, brother and sister, badly beaten and injured, and Claus Destefsef, the murderer, is being pursued by a determined posse. The Glesings are a prominent family—farmers. The murderer is a young man of the neighborhood who was infatuated with Miss Glesing.

Prisoners Dismissed.

FRANKLIN, Ind., Dec. 9.—After the Walker brothers had been placed on trial for assaulting William Rogers, a jury was impaneled and several witnesses examined. Judge Johnson, appearing for the defense, demanded the discharge of the accused because the prosecutor had failed to arraign them. This proved to be the case and the court sustained the dismissal.

Tried of Fighting.

MADRID, Dec. 9.—General Blanco has resigned the governor generalship of the Philippine islands.

UNCONSTITUTIONAL.

Material Men's Lien Act Is So Declared.

A VERY IMPORTANT DECISION.

Millions of Dollars Worth of Lumber and Other Building Material Involved—An Extra Session of the Legislature May Be Called—Destitute Miners Appeal to the Governor For Aid—Other Ohio News.

COLUMBUS, O., Dec. 9.—The supreme court, in two decisions yesterday, held to be unconstitutional the "material men's lien law," passed two years ago, which created a scandal in the legislature at the time. At least that is the general opinion of lawyers from the reading of the decision slips handed down by the court.

The cases are L. F. Young vs. Lion Hardware company of Springfield and Palmer Crawford company vs. William C. Tingley of Putnam county.

In the first case the judgment is reversed and in the second affirmed.

This law gave to a man who might furnish material for a building a prior claim on the building to secure his pay, giving to him the same rights with the mechanic.

Since the law was passed millions of dollars' worth of lumber and other material has been furnished by dealers, who have depended on this law to secure their pay. They will now lose this money or share in order with other creditors.

Mark Hanna's Son Sued.

CLEVELAND, Dec. 9.—Suit was begun yesterday against D. R. Hanna, son of Chairman M. A. Hanna of the national Republican committee, to recover \$150 paid to him as the result of an election bet. Mr. R. H. Jackson, a Chicago traveling man, who makes his home in this city some of the time, has instituted the suit. Mr. Hanna wagered \$150 that McKinley would have 50,000 more votes in Ohio than Mr. Bryan, and Jackson accepted it. During Mr. Jackson's absence from the city the money was paid to Mr. Hanna by the stakeholder. Mr. Jackson claims Hanna lost the bet, and as Hanna refuses to give him the money Jackson has brought suit to recover it.

Extra Session of the Legislature.

COLUMBUS, O., Dec. 9.—Senator Falloon, president of the state fish and game commission, says that an extra session of the legislature should be held to correct the error in the gill-net law, which allows gill nets to be used on the lakes, when it was the intention to forbid their use. The Cincinnati road cases may also be urged by those who want an extra session.

Destitute Miners Appeal For Aid.

ATHENS, O., Dec. 9.—The recent mine fire at Glouster has proved to be the most serious disaster in the Sunday Creek valley. Three hundred and twenty-five miners are out of employment, and many families are already in destitute circumstances. An appeal for aid has been made to Governor Bushnell.

An Incendiary Fire.

POMEROY, O., Dec. 9.—Fire early yesterday morning at Middleport destroyed the Walnut Street hotel, Sam Lewis' barber shop and the residences of Pat. Bruner, Mrs. Cowdy, William Barlow and Major Downin's warehouse. Generally insured. Of incendiary origin.

Trial Trip Satisfactory.

CLEVELAND, Dec. 9.—A preliminary trial trip was made yesterday of the new steel revenue cutter Walter Q. Gresham, built by the Globe Shipbuilding company. The test was very satisfactory, the steamer making nearly 20 miles an hour with four boilers.

Bogus Money Orders.

COLUMBUS, O., Dec. 9.—Postoffice inspectors are hunting for a man who registered in New York as George B. Watts of Columbus. He cashed bogus money orders drawn on Granville, O., and secured about \$100.

Tierney Must Hang.

CLEVELAND, Dec. 9.—The state board of pardons has refused to make a recommendation for clemency in the case of Tierney, the Erie county murderer. He must hang Dec. 17.

Death From Having a Tooth Extracted.

DOYLESTOWN, O., Dec. 9.—Miss Minnie Kohler died from the effects of having a tooth extracted. She bled so much that she died from weakness.

FATAL BOILER EXPLOSION.

Six People Killed in a Saw Mill at Seville, Georgia.

CORDELE, Ga., Dec. 9.—A boiler in the mill of the Wilcox Lumber company at Seville exploded yesterday with fatal results. The killed are:

S. Piland, mayor of Seville.
An Irish employe, name unknown.
Four negroes.

The explosion was felt for miles around. The cause is supposed to have been the small supply of water in the boiler.

Mayor Piland was a watchman at the mill. He leaves a wife and three children. The part of the mill where the boiler was situated was completely wrecked, and the loss will exceed \$3,000.

Fire in Montreal.

MONTREAL, Dec. 9.—The Barron block, a 4-story stone building, was destroyed by fire about 9 o'clock last night. The loss will be about \$175,000, with insurance of about \$100,000.